

Montana Office of Public Instruction

Tobacco-Free School Policy Guide

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PART I. INTRODUCTION

A DOZEN GOOD REASONS FOR TOBACCO-FREE SCHOOLS

Reference: Adapted from *Getting to Tobacco-Free Schools: A Trouble-Shooting Guide* (Colorado-Assist, sponsored by the Colorado Department of Public Health and Environment and the American Cancer Society's Rocky Mountain Division)

It is estimated that more than 3,000 American teenagers start smoking each day. The 1999 Montana Youth Risk Behavior Survey (Office of Public Instruction) reported tobacco use rates among Montana teens to be as follows:

- About 70 percent of high school-aged students had ever tried smoking, which compares to the national average.
- Almost 25 percent of students were 12 years old or younger when they smoked for the first time.
- Twenty-six percent of the students reported they were “regular” smokers (smoked at least one cigarette a day for 30 days).
- Eighteen percent of the students reported they were “frequent” smokers (smoked on 20 or more of the previous days).
- Thirty percent of the students indicated that they tried quitting in the previous six months.
- Over 18 percent of the students reported that they used smokeless tobacco in the previous 30 days compared to the national average of 7.8 percent

Schools play an important role in shaping student tobacco-use behaviors. Tobacco prevention education, adult role modeling of non-smoking behavior, and strong tobacco-free school policies combine to create a positive and protective environment in which youth can remain tobacco free and learn the behaviors that will help them become healthy adults. Here are a dozen good reasons for tobacco-free schools.

1. **Tobacco kills and disables. Schools are responsible for protecting children in their charge from dangerous products.** Tobacco kills more Americans each year than alcohol, cocaine, crack, heroin, suicide, car accidents, fires, and AIDS combined. In the United States, tobacco is responsible for more than 400,000 deaths each year. Tobacco use adversely affects nearly every system and function of the human body. The use of tobacco is associated with increased risk of heart disease and stroke, blindness, hearing loss, infertility and male impotence.

In children, tobacco use can cause many health problems. Tobacco use contributes to a general decrease in physical fitness, as well as an increased number of colds, sore throats and other respiratory illnesses. Smoking is associated with a slower rate of lung growth, which can result in decreased lung function as an adult. It has also been named as a factor in the early development of artery disease, a possible precursor of heart disease. More than five million children alive today will die

prematurely because they became regular users of tobacco as adolescents. *Tobacco is the only product that, when used as intended, will disable and/or kill the user.*

2. **Tobacco is a drug. Schools must prohibit drug use in school buildings, on school grounds and at school-sponsored events.** Tobacco has been classified a drug by the federal Food and Drug Administration. School policies don't allow the use of other drugs such as alcohol, marijuana or cocaine on school grounds and at school-sponsored events. Why should an exception be made for tobacco? Most school districts have very stringent drug policies. They often prohibit students from taking prescription drugs on school grounds without parental permission. It is incongruent that school districts have strict drug-use policies and yet allow students to use and share tobacco on school grounds and at school-sponsored events.
3. **Tobacco is addictive. Schools must be in the business of promoting health rather than enabling addictions.** The use of tobacco is not just a "bad habit"- it is a powerful addiction. For many, being addicted to nicotine makes quitting tobacco as difficult as quitting heroin, cocaine, or alcohol. Research has shown that most young tobacco users do not fully understand the concept of addiction. They don't understand what they are getting into. Most are deciding to smoke a few cigarettes with friends, not to develop a physical dependence on tobacco that could last the rest of their lives. The majority of adolescents who smoke report they would like to quit, but can't. One study found more than 60 percent of high school seniors who smoked as few as one to five cigarettes a day were still smoking five years later. Most had increased the number of cigarettes they were smoking.
4. **Smoking material and second-hand smoke are dangerous. Schools are responsible for providing a safe environment for students.** Smoking material fires are the leading cause of fire deaths in the United States. "Smoking materials" refers only to lighted tobacco products, not to matches or lighters. More people die in fires caused by lighted tobacco products than any other type of fire in the United States.

Second-hand smoke causes more than 53,000 deaths in the United States each year, making it the third major killer after active smoking and alcohol. Containing more than 4,700 chemicals, more than 50 of which are carcinogenic, second-hand smoke causes lung cancer in nonsmokers and is suspected of playing a role in other cancers. Second-hand smoke is particularly problematic for the growing number of children with asthma.

Children can become the involuntary victims of second-hand smoke indoors or outdoors. Smoking outside near building entrances or fresh-air intakes often results in the migration of smoke indoors. Passing through smoking areas may be enough to trigger an asthma attack or exacerbate respiratory problems in students... and this situation does not meet the standard of a *safe* environment let alone a *tobacco-free*

environment. Researchers looking at the health impact of second-hand smoke on children state simply, "Smoking should be banned wherever children are present."

5. **Middle and high-school years are critical in determining whether or not an individual becomes a smoker for life. Schools can help "delay the onset" of smoking and significantly reduce the chances that youth will ever use tobacco regularly.** Tobacco use is frequently called a pediatric disease because the onset of smoking most often occurs in the adolescent and pre-adolescent years. Statistics show that the vast majority (82%) of adults who smoke began smoking before the age of 18 and, in fact, most started experimenting with cigarettes in the seventh grade. Conversely, if young people can make it through their school years as non-smokers, they are likely to stay that way for the rest of their lives.

Students are in school six to eight hours a day. If schools prohibit tobacco use on school grounds and at school-sponsored events, they can substantially decrease the time and the social opportunity students have for learning to smoke and/or chew. Schools can help students stay tobacco-free during their school years and thereby help them remain tobacco free for life.

6. **Tobacco is a gateway drug. Schools must consider other "side effects" of tobacco use.** As cited in the Surgeon General's report, tobacco use has been found to play a pivotal role in the development of other drug dependencies. Data from the Monitoring the Future Project confirms that illegal drug use is rare among those who have never smoked and that cigarette smoking is likely to precede the use of alcohol or illegal drugs. Factors that could explain the possible use of such harmful substances include: (a) nicotine produces various effects that have been shown to be produced similarly by one or more other abused drugs; (b) the smoking behavior and tolerance for smoking prepare youth for smoking preparations of cocaine, methamphetamine and PCP; (c) stealing or buying tobacco involves committing minor infractions that, while discouraged, have few or no consequences; and (d) attitudes about drug use develop with the early use of nicotine and alcohol to affect moods and the process of rationalization, denial, hiding, sneakiness, and lying that often build up and are transferable to the use of other drugs.
7. **Allowing tobacco use at school is in conflict with prevention messages delivered in classrooms. Schools must send clear, consistent non-use messages.** Tobacco use prevention education is considered an essential element of comprehensive school health programs. It is included in the National Standards for School Health and was one of the first areas focused on by the Centers for Disease Control and Prevention for the development of assessment materials. Resistance skills are often taught to help children learn to fend off offers of alcohol, tobacco, and other drugs. Special events in schools -- such as the Great American Smoke Out, Red Ribbon Week, Tar Wars, and health fairs -- are intended to reinforce tobacco use prevention. School hallways and classroom bulletin boards often "shout" the prevention message with posters and banners. Yet, children can

step outside their classrooms and see clusters of students and/or teachers using tobacco on school grounds. Schools that are not tobacco-free send conflicting messages to students about tobacco use.

8. **Perceived social acceptance of tobacco use, accurate or otherwise, influences adolescent tobacco use behavior.** The idea that tobacco use is socially acceptable can be developed when youth witness others using tobacco or when they use it themselves without negative consequences. Studies have shown that children consistently overestimate the number of tobacco users. For example, in April 2000, an informal, non-random survey of self-reported personal tobacco use, perception of tobacco use by others, and intent for future personal use of tobacco products was conducted in Montana schools by the Office of Public Instruction (OPI). The results of the survey, the Montana Student Tobacco Use and Perception survey (or STUP survey), showed that:

- Most (71.1 percent) Montana high school students think that their peers smoke cigarettes at a rate that is above the actual use rate. The actual use rate of cigarettes among Montana high school-aged youth is 35.0 percent (based on Montana YRBS "current" use). The perceived use rate ranged from 40 percent to over 80 percent.
- The STUP survey found that less than 10 percent of middle school respondents reported being a "current" smoker. But the perception among most (84.0 percent) middle school students participating in the STUP survey is that their peers are current smokers. Most middle school respondents perceived the use to range from 20 percent to 80 percent.
- Most (83.5 percent) Montana high school students think their peers use smokeless tobacco at a rate that is above the actual use rate. The actual use rate of smokeless tobacco among Montana high school-aged youth is less than 20 percent (based on Montana YRBS "current" use it is 18.3 percent). The perceived use rate ranged from 20 percent to over 80 percent.
- The STUP survey found that less than 6.2 percent of middle school respondents reported being a "current" user of smokeless tobacco. But the perception among most (61.6 percent) middle school students participating in the STUP survey is that Montana middle school students are current users of smokeless tobacco. Most middle school respondents perceived the use to range from 20 percent to over 80 percent.

This perception is furthered when students witness crowds of their classmates and teachers smoking and/or chewing. Research has found that students who made relatively high estimates of the amount of smoking around them were not only more likely to experiment with tobacco but were more likely to become regular smokers or to increase the current amount they smoked. Adult attitudes toward tobacco use can perpetuate the perception of acceptance. Studies on risk factors or drug and

alcohol abuse found parental permissiveness – parents not taking a firm stand against their children using these substances – to be a key factor in teen initiation and use. The idea that tobacco use is normative and that it is socially accepted by others, including respected adults, encourages adoption and ongoing use of tobacco products. Enactment of a tobacco-free school policy represents a firm stand on the part of school administration, teachers, and parents about youth tobacco use.

9. **Work places are becoming increasingly smoke-free. Schools need to prepare students for the reality of smoke-free work places and communities.** A 1994 survey of business professionals found 71 percent of surveyed organizations prohibited smoking anywhere within their facility. Employers are becoming more reluctant to hire smokers due to increased absenteeism, health care costs and disability. In a competitive job market and non-smoking community environment, it is important that students not leave their high school years with a smoking handicap. Some districts exempt vocational or alternative schools from the district's tobacco-free policy. Yet these schools are frequently attended by the students who can least afford to be disadvantaged in the job market because they smoke.
10. **Laws intentionally limit access and possession of tobacco by children. It is important that schools model respect for state laws and community ordinances.** Montana state law prohibits the sale of tobacco to minors, as well as the purchase of tobacco by minors. It is clear that the intent of these laws is to reduce adolescent access to and use of tobacco. Most teens obtain their cigarettes by stealing, illegal purchase, or through other teens or an adult. If school districts allow students to use tobacco on school property, they are tacitly endorsing the open use of products that were most likely obtained illegally. This disregard for the law is even more problematic in Montana because youth possession of tobacco products by anyone under age 18 is illegal. School personnel who permit youth to smoke or to use spit tobacco on school grounds are condoning illegal behavior. By their actions, school districts and school personnel may inadvertently encourage disregard for the law. It is important that citizenship lessons are not only *taught* at school but they are *applied* as well. Respect for the law must be demonstrated. Children learn what they live.
11. **Schools may face liability issues by allowing smoking on their premises. School districts would be wise to protect themselves from this unnecessary risk.** Litigation related to tobacco addiction and exposure to second-hand smoke is growing. Individuals have recovered damages in numerous lawsuits because their employers failed to provide a safe, smoke-free work environment. With the increasing number of children with asthma, there may be additional cause for concern—particularly if an asthma attack or other respiratory problems are triggered because a child is exposed to smoke at the school setting.

Ten years ago, no one thought tobacco companies could be held liable for the health costs incurred because of addiction to smoking. Today, these companies are

indeed being held liable for billions of dollars for the role they played in contributing to tobacco addiction and the consequent diseases. Although there are no cases on record as yet, it is not inconceivable that in the future someone may question the role school personnel or district board members played in allowing addictions to develop through non-enforcement of tobacco-free policies.

12. **It's the right thing to do.** Establishing a totally tobacco-free school environment is not always the easiest thing to do, but it is the right thing to do to protect children and help them develop into healthy adults. Twenty years ago there was a much higher level of tolerance for drinking and driving by teens. It was accepted as the norm that youth would drink and drive, particularly at times of special school events such as homecoming and prom. Today, however, school districts and communities are making it clear that this behavior is no longer acceptable. Many schools have now taken the lead by providing "after-homecoming" and "after-prom" parties to keep kids sober and safe. The result has been a substantial reduction in the number of students killed and maimed in alcohol-related accidents. These changes originally met with some resistance from students and were seen as interference with their traditional activities, but schools and communities persisted in what they knew was the right thing to do. The same now applies to tobacco use. Changes and restrictions on this dangerous behavior may well be met with initial resistance. But if schools and communities persist, there will be a reduction in the number of youth who become addicted to tobacco and a reduction in the numbers of deaths and diseases from tobacco use. Tobacco-free schools... the right thing to do.

Part II. TOBACCO-FREE SCHOOL POLICY CHECKLIST

District/School Name: _____ County: _____

City: _____ Date: _____

A tobacco-free school policy would include a ban of all tobacco products on school campuses; a clear no-use and no-possession statement at all times for all students; a clear no-use statement at all times for all staff and other individuals visiting or using the school or any of its property; a ban on tobacco advertising on school property, at school functions, or in school publications; enforcement provisions; and support for classroom-based tobacco education. Tobacco-free schools do not provide any allowances for when or where tobacco products may be used.*

Check **Yes** or **No** for each item in the table.

<i>Tobacco Policy Item</i>	No	Yes
Is your school policy a board-adopted policy?		
Does your policy:		
- prohibit tobacco use or possession by all students on school property?		
- prohibit tobacco use by all staff on school property?		
- prohibit tobacco use in all areas of the school and school property and at all times?		
- provide allowances for when and where tobacco use is permitted? *		
- prohibit tobacco use or possession by all students at all school events?		
- prohibit tobacco use by all persons (students and adults) attending all school events?		
- prohibit tobacco advertising on school property, at school events and in school publications?		
- have clear and enforceable disciplinary sanctions for violations of the policy for students? staff? others?		
- include support for classroom-based tobacco education, including teacher training for those teachers whose instructional duties would include tobacco use prevention content?		

*This may be allowable under state and federal law but would preclude the school from being designated "tobacco free." Districts/schools that have a designated area where tobacco products may be used would not be in violation of state or federal law as long as the designated area was for non-student adults and was not within any indoor facility used for education or library services. **June 2000**

PART III. COMPONENTS OF A TOBACCO-FREE SCHOOL POLICY

References: *A Guide to Tobacco-Free School Policies*, Minnesota Department of Health; *Creating and Maintaining a Tobacco-Free School Policy*, Bureau of Health, Maine Department of Human Services; *Getting to Tobacco-Free Schools: A Trouble-Shooting Guide*, Colorado Department of Public Health and Environment; and *Guidelines for School Health Programs to Prevent Tobacco Use and Addiction*, Centers for Disease Control and Prevention.

A district may adopt a tobacco policy that is limited in its scope – it may only address student tobacco use and possession, it may only address smoking, or it may only address tobacco use during school hours. Any such limitations will not provide a "tobacco-free" school environment.

Tobacco-free school policy can be as concise or as comprehensive as a district wants. But to be a true "tobacco-free" policy, six essential elements must be included in the policy. These essential elements of a *concise* tobacco-free school policy are:

- a ban of all tobacco products on school campuses;
- a clear no-use and no-possession statement at all times for all students;
- a clear no-use statement at all times for all staff and other individuals visiting or using the school or any of its property;
- a ban on tobacco advertising on school property, at school functions, or in school publications;
- enforcement provisions for violations of the policy; and
- support for classroom-based instruction on tobacco use prevention, including training for teachers whose instructional duties would include tobacco use prevention content.

A comprehensive tobacco-free school policy includes eight components. The six essential elements are embedded within these eight components, and several additional items are added to make the policy more comprehensive (for example, a rationale section and a communication section). The eight components of a *comprehensive* tobacco-free school policy are:

- 1) a rationale for developing and implementing the policy,
- 2) prohibitions against tobacco products and tobacco use,
- 3) prohibitions against tobacco advertising or tobacco promotion,
- 4) tobacco use prevention education,
- 5) a method of communicating the policy to affected persons,
- 6) enforcement procedures and provisions,
- 7) access to cessation information or services, and
- 8) definition of terms used in the policy.

1. Rationale for developing and implementing the policy

The rationale focuses on reducing health risks related to tobacco use. Reasons for having a policy in place should be included here, such as:

- health effects of tobacco (firsthand and secondhand smoke);
- concerns about maintaining a safe learning environment;
- reinforcement of curriculum in the schools regarding tobacco use; and
- provision of support for appropriate role modeling for students.

2. Prohibitions against tobacco products and tobacco use

The prohibitions must clearly identify the following:

- the *population* (persons) to whom the policy applies – such as students, staff and visitors; and
- the *location* where the policy applies – all areas of school property where the policy is in effect are specified, such as all school buildings, school vehicles, athletic and extracurricular facilities, and school-sponsored events, including school functions held off campus.

3. Prohibitions against tobacco advertising or tobacco promotion

The prohibitions should apply to:

- school property;
- school-sponsored events; and
- school publications.

4. Tobacco use prevention education

Instruction should be integrated within the Health Enhancement curriculum and into other subject areas to the greatest extent possible. The instruction should be most intensive in grades six through eight and should be reinforced in all later grades. The chosen curriculum must meet the following criteria:

- comprehensive in nature;
- consistent with Montana's Health Enhancement standards; and
- proven effective by published research.

The program must be designed to:

- instruct about health, legal and social consequences;
- use factual information;
- educate about social norms regarding tobacco use;
- address reasons why adolescents say they smoke;
- teach to recognize and refute social influences that promote tobacco use; and
- develop student's behavioral skills for resisting social influences.

Staff responsible for teaching tobacco-use prevention must have adequate preservice training and participate in ongoing professional developmental activities to effectively deliver the education program as planned. School staff should help interested students become involved with agencies and other organizations in the community that are working to prevent tobacco use.

5. Communicating the policy

Clear procedures must be established. The superintendent, principal and other supervisory personnel are to notify the persons affected by the tobacco-free policy. These persons would include students, staff and faculty, parents and families, and all school visitors.

Communication may take place through notification in handbooks and newsletters, on posted notices or signs at every school entrance, athletic facilities, and other appropriate locations, and by other efficient means. To the extent possible, schools should make use of local media to publicize the policies.

6. Enforcement

Procedures and provisions for consistent and equitable enforcement must be well defined. A description of how the policy is to be enforced should be clearly stated and disseminated. Consequences for students, staff, and visitors are delineated and should include, but are not limited to, the following:

- progressive disciplinary action for students;
- educational alternative-to-suspension programs;
- employees receive warning and review by administration; and
- visitors receive warning and/or be escorted off campus/facility.

All school staff are to be trained on the correct and fair enforcement of tobacco-free policies. Some students with disabilities may need to have tobacco use behavior addressed on their Individualized Education Program (IEP). The need to do so would be determined by each student's IEP team.

7. Cessation

Provisions should be made for students and all school staff who wish to quit using tobacco to have access to tobacco cessation programs. Attendance at a tobacco-use cessation program should not be mandatory for anyone or used as a penalty. Attendance at or completion of a tobacco-use cessation program should be allowed as a voluntary substitute to suspension for possession or use of tobacco.

8. Definition of terms

A clear description of the different tobacco products and what constitutes use and/or possession should be included.

PART IV. MODEL SCHOOL POLICY

Reference: *Creating and Maintaining a Tobacco-Free School Policy*, Bureau of Health, Maine Department of Human Services; *Fit, Health, and Ready to Learn, A School Health Policy Guide*, National Association of State Boards of Education

The following model policy includes the eight components of a *comprehensive* tobacco-free school policy presented in Part III. Several components may be combined under a single heading in this model policy, but all eight components are distinctly included.

☐ TOBACCO POLICY – RATIONALE FOR REGULATING POSSESSION AND USE

The health hazards of tobacco use have been well established. This policy is established to:

- (1) reflect and emphasize the hazards of tobacco use;
- (2) be consistent with state and federal laws;
- (3) protect the health and safety of all students, employees and the public; and
- (4) set a non-tobacco use example by adults.

Tobacco is the number one killer and leading cause of preventable death in Montana. To support and model a healthy lifestyle for our students the school board of [name of school district] establishes the following tobacco-free policy.

☐ TOBACCO POLICY – USE AND POSSESSION PROHIBITIONS

The [name of school district] School District, inclusive of all its buildings and property, shall be tobacco free 24 hours a day, 365 days per year. This includes all days when school is not in session and all events and other activities not associated with, or sponsored by, the school.

Possession or use of tobacco products by students on district property, in district vehicles and at school-sponsored events (whether on or off district property) is prohibited at all times.

The use of tobacco products by all school employees on district property or in district vehicles and at school-sponsored events (whether on or off district property) is prohibited at all times.

The use of tobacco products by all visitors to the school district property is prohibited. This includes non-school hours and all events sponsored by the school or others.

Advertising of tobacco products is prohibited in school buildings, on school property, at school functions and in all school publications. This includes clothing that advertises tobacco products.

☐ TOBACCO POLICY – PREVENTION EDUCATION

Tobacco prevention education will be incorporated into the district's K-12 comprehensive health curriculum so that students will be aware of the health and social consequences of use/nonuse of tobacco products. Teachers whose instructional assignments include tobacco use prevention education will be trained in order that students will be afforded the most effective delivery of the district's classroom-based tobacco prevention education.

☐ TOBACCO POLICY – COMMUNICATING TO STUDENTS, STAFF AND PUBLIC

This policy will be printed in the employee and the student handbooks. It will be posted in highly visible places in all schools of the district. Signs will be posted at all entrances of school buildings, school properties and athletic facilities. Parents and guardians shall be sent notification in writing, and the local media will be asked to communicate this tobacco-free policy community-wide.

☐ TOBACCO POLICY – ENFORCEMENT AND CESSATION

A. High School/Middle School Students (Grades 6-12)

First offense:

Will result in any or all of the following: confiscate tobacco products, notify parents, notify police, meeting and assessment with substance abuse educator or designated staff, participation in tobacco education program (Smokeless Saturday Program) and/or Saturday detention. Offer student resources for available cessation programs.

Second offense:

Will result in any or all of the following: confiscate tobacco products, notify parents, parental conference, notify police, meeting and assessment with substance abuse educator or designated staff, mandatory Tobacco Education Program (where available) and/or Saturday detention/s. Offer student resources for available cessation programs.

Third offense:

Will result in any or all of the following: confiscate tobacco products, notify parents, notify police, turn tobacco product over to police, parental conference, meeting with substance abuse educator or designated staff, possible suspension and/or community service. Offer student resource for available cessation programs.

B. Elementary School Students (Grades K-5)

First offense:

May result in any or all of the following: confiscate tobacco products, parental conference, meet with substance abuse educator or designated staff and police officer (school resource officer, where possible).

Second and subsequent offenses:

May result in any or all of the following: confiscate tobacco products, notify parents; notify police; meet with school resource officer, substance abuse educator or designated staff; a minimum of one-hour detention which may include a tobacco prevention component.

C. Faculty/Staff

Faculty and staff include: administrators, teachers, janitors, aides, secretaries, clerks, teacher assistants, playground monitors, bus drivers, cafeteria workers, crossing guards, etc. These individuals may not use tobacco products on school property at any time. Crossing guards may not use tobacco products during working hours or at any of the crossing designations at any time. Those staff members violating this policy will be subject to the following procedures:

First offense:

A written warning by the appropriate administrator. Refer to cessation program.

Second offense:

A formal reprimand by the appropriate administrator and a letter of same to be placed in personnel file. Refer to cessation program.

Third offense:

Meeting with school board and possible leave without pay or dismissal. Refer to cessation program.

D. Visitors

Visitors to the district facilities must comply with regulations. Smoking or use of tobacco products by visitors is prohibited. This includes non-school hours and all functions of the school, athletic or otherwise. This also includes other organizations using school property.

Anyone found smoking or using tobacco products will be asked by the appropriate school official to refrain from smoking or tobacco use while on district property. The visitor will be informed of the school's tobacco-free policy. If the visitor does not comply, he/she will be asked to leave. If the person refuses to leave, the police may be called.

□ TOBACCO POLICY – DEFINITIONS

For purposes of this policy, “tobacco” is defined to include any lit or unlit cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco, also known as smokeless tobacco, dip, chew, and snuff, in any form.

For purposes of this policy, “tobacco use” includes smoking, which means carrying or having in one’s possession a lighted cigarette, cigar, pipe or other object giving off or containing any substance giving off smoke, and chewing spit tobacco, also known as smokeless tobacco, dip, chew, and snuff, in any form.

The term “use” means the chewing, lighting and smoking of any tobacco product.

PART V. SAMPLE POLICY INFORMATION

Each Montana school district has its reasons for developing, implementing and enforcing a tobacco-free school policy. Without disregarding these reasons, a sound tobacco-free school policy will include the essential elements recommended in the federal Centers for Disease Control and Prevention's *Guidelines for School Health Programs to Prevent Tobacco Use and Addiction*. These elements are:

- a ban of all tobacco products on school campuses;
- a clear no-use and no-possession statement at all times for all students;
- a clear no-use statement at all times for all staff and other individuals visiting or using the school or any of its property;
- a ban on tobacco advertising on school property, at school functions, or in school publications;
- enforcement provisions for violations of the policy; and
- support for classroom-based instruction on tobacco use prevention, including training for teachers whose instructional duties would include tobacco use prevention content.

The model policy included in this guide (see Part IV) is a straightforward presentation of a tobacco-free school policy. As you develop your own district-specific policy, you may not want to simply adopt the model for your district but would want to review samples from other Montana school districts. Some districts have implemented operational tobacco-free school policies and procedures. These policies, when procedurally implemented, have the effect of making the schools under the policy operate as tobacco-free facilities and grounds. The tobacco-specific content of some districts' policies may be inserted into a broader policy (such as a policy that includes drugs, alcohol, tobacco and weapons as prohibited items). Some districts' policies may be missing the recommended wording from the CDC guidelines but, in practice, the policies have created tobacco-free school environments.

Several school districts are willing to be a point of contact for local policy, student and staff handbooks, and procedural guidelines (e.g., discipline policy). Among the Montana school districts who can serve as local resources are Bozeman Public Schools, Colstrip Public Schools, Great Falls Public Schools and Polson Public Schools.

The Office of Public Instruction extends our thanks and appreciation to these districts for their willingness to share and for their spirit of cooperation.

PART VI. SIGNAGE INFORMATION

The methods of communicating the content and intent of a district's tobacco-free school policy to students, faculty and the public will vary depending on the school district. Regardless of the method, it is necessary to provide effective, pro-active communication about the policy to prevent, as much as is possible, misunderstandings about the policy and its enforcement provisions. Further, pro-active communication may well reduce non-compliance by students, staff and the public.

Signs expressing the essence of the district's tobacco-free school policy should be placed at conspicuous locations throughout the school (buildings and grounds). When done in conjunction with policy implementation and enforcement, the use of signs has been shown to be an effective method of communicating the intent of a district's tobacco-free school policy. In addition to policy intent and content signs posted at school entrances and other conspicuous locations, metal exterior signs proclaiming the school and its property to be a "Tobacco-Free Zone" can be posted around the school grounds.

Other forms of publicly communicating a district's tobacco-free school policy can include:

- signs that contain the actual tobacco-free school policy (these signs have the wording of the policy enlarged and are placed at key locations in the school for students, staff and visitors to the school to read),
- reproducing the policy in student and staff handbooks,
- including specific information about the policy in school newsletters, and
- announcing the policy (specifically announcing that the school and all events involving the school are tobacco free) at athletic or other school-related events.

Some examples of wording for signs are:

Welcome to our tobacco-free school !
Our district policy prohibits tobacco use on all school property.
Please help us give our kids a healthy and safe environment by not using tobacco on school property. Thanks!

Tobacco-Free Schools – not just a good idea... it's our school policy!!

Tobacco-Free School

Help us teach our students to not use tobacco.

Please... no smoking or chewing in our school or on our school grounds.

Tobacco-Free School

No tobacco use by anyone at anytime!

Tobacco-Free School

The Anytown School District Board of Trustees has prohibited the use of all tobacco products in the Anytown Schools. This prohibition includes all buildings and grounds. By board policy, the use of tobacco products on school grounds by any person at any time is prohibited.

PART VII. CONSIDERATIONS FOR SCHOOL POLICY ON TOBACCO

Question: Under Montana law (20-1-220 MCA), if a school has a designated smoking area, will the school lose its SDFS funding?

Answer: Montana law (20-1-220 MCA) prohibits the use of tobacco products in public school buildings or on public school property during school hours. (Note: The phrases “tobacco product” and “public school building or property” are defined in the law. The prohibition includes the use of smoking and smokeless tobacco in any school building, outside areas of the school property, and on school buses.) Subsection 2 of the Montana law lists exceptions to the prohibition. One of these exceptions -- subsection (2)(d) -- states that non-student adults may use tobacco products in an area designated by the school administrator or board of trustees.

Schools that receive federal funds must also comply with the requirements of the Pro-Children Act of 1994 (Public Law 103-227, Title X, Part C, Sections 1041-1044). This federal law states that no person shall permit smoking within any indoor facility used for the provision of kindergarten, elementary, or secondary education or for library services. The penalty for non-compliance is a fine of \$1,000 per day for each day of violation. The total amount of the fine shall not exceed the amount of federal funds received by the school for the fiscal year in which the violation(s) occurred. Violations of the Pro-Children’s Act do not preclude a school from receiving federal funds; violations may lead to fines up to the amount of federal funds already received by the school. The federal funds at risk are funds from the U.S. Department of Education, the U.S. Department of Public Health and Human Services, and the U.S. Department of Agriculture.

From these laws, it stands that schools that receive federal funds and that have a designated area where tobacco products may be used would not violate state or federal law as long as the designated area was for non-student adults and was not within any indoor facility used for education or library services. Non-compliance with state and federal law may cause a school to lose its SDFS funds as well as other sources of federal funds, but through a fine process after funds are received rather than a preclusion process before funds are received.

Other considerations

Public health has established a disease correlation between environmental tobacco smoke (“second-hand smoke”) and tobacco-related illness. For this reason, the ban on smoking tobacco in indoor facilities used for educational or library services (as per the Pro-Children Act of 1994) should be a 24-hour per day prohibition.

Schools that intend to provide effective, school-based education programs to prevent tobacco use and addiction should also provide a tobacco-free environment. Adopting and enforcing a tobacco-free school policy should be a priority for schools. A tobacco-free school policy should include the following:

- a ban of all tobacco products on school campuses;
- a clear no-use and no-possession statement at all times for all students;
- a clear no-use statement at all times for all staff and other individuals visiting or using the school or any of its property;
- a ban on tobacco advertising on school property, at school functions, or in school publications;
- enforcement provisions for violations of the policy; and
- support for classroom-based instruction on tobacco use prevention, including training for teachers whose instructional duties would include tobacco use prevention content.

Summary

- ✓ Montana law prohibits the use of tobacco products in public school buildings or on public school property during school hours, except that non-student adults may use tobacco products in an area designated by the school administrator or board of trustees.
- ✓ Federal law states that no person shall permit smoking within any indoor facility used for the provision of kindergarten, elementary, or secondary education or for library services.
- ✓ Schools that receive federal funds and that have a designated area where tobacco products may be used would not violate state or federal law as long as the designated area was for non-student adults and was not within any indoor facility used for education or library services.
- ✓ Schools that intend to provide effective, school-based education programs to prevent tobacco use and addiction should also provide a tobacco-free environment via adopting and enforcing a tobacco-free school policy. (Note: Compliance with current state and federal law would not make a school "tobacco free" since current law allows for a designated smoking area for non-student adults (see above)).

PART VIII. RESOURCES

- *Fit, Healthy and Ready to Learn, A School Health Policy Guide* is available through the National Association of State Boards of Education at (703) 684-4000 or www.nasbe.org
- *A Guide to Tobacco-Free School Policies* is available through the Minnesota Department of Health at (612) 623-5385 or (612) 623-5274.
- *Getting to Tobacco-Free Schools: A Trouble-Shooting Guide* is available through the Colorado Department of Public Health and Environment at (303) 692-2514.
- *Creating and Maintaining a Tobacco-Free School Policy* is available through the Bureau of Health, Maine Department of Human Services at (207) 287-4625.
- *Guidelines for Implementation of West Virginia Board of Education Policy 2422.5A: Tobacco Control* is available from the West Virginia Department of Education at (304) 558-8830.
- *The Grass Roots Guide for Tobacco-Free Schools* by the North Carolina Department of Health and Human Services is available at (919) 733-1340.
- 20-1-220 Montana Code Annotated, Use of tobacco product in public school building or property prohibited. (Cross References: 16-11-301 MCA, Youth Access to Tobacco Products Control Act; and 45-5-637 MCA, Tobacco possession or consumption by persons under 18 years of age prohibited.)
- Public Law 103-227, Title X, Part C, Sections 1041-1044 ("Pro-Children Act of 1994").